

**IN THE UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF MARYLAND**

DENISE DENNIS,

Plaintiff,

v.

BANK OF AMERICA, N.A.,

Defendant.

CIVIL ACTION NO. _____

(Removed from the Circuit Court for
Prince George's County,
Case No. CAE10-18674)

NOTICE OF REMOVAL

Defendant, Bank of America, N.A. ("BOA"), by and through its undersigned attorneys, hereby gives notice to this Court pursuant to 28 U.S.C. § 1441, *et seq.* that it is removing Case No. CAE10-18674 from the Circuit Court for Prince George's County to the United States District Court for the District of Maryland. As grounds therefore, BOA states as follows:

INTRODUCTION

1. On or about June 16, 2010, Plaintiff, Denise Dennis ("Plaintiff"), filed an action against BOA in the Circuit Court for Prince George's County, Maryland styled as Dennis v. Bank of America, N.A., Case No. CAE10-18674.

2. On June 23, 2010, BOA received via certified mail a copy of Plaintiff's Petition for Injunctive and other Relief and for Court to Compel Defendant to Produce and Comply with Plaintiff's Demands (the "Petition"). A true and correct copy of the Petition is attached hereto as **Exhibit A**. No additional pleadings, orders, summonses or other papers have been served upon BOA by Plaintiffs.

3. This Notice of Removal is being filed within thirty (30) days after receipt of the Petition by BOA and is timely filed under 28 U.S.C. § 1446(b).

4. A Notice of Filing of Notice of Removal is being contemporaneously filed with the Circuit Court for Prince George's County. A copy of that Notice is attached hereto as **Exhibit B**.

FACTS AND LAW SUPPORTING REMOVAL

5. This is a civil action over which this Court has original federal question jurisdiction under 28 U.S.C. § 1331, and which is removable to this Court pursuant to 28 U.S.C. § 1441(a) and (b), in that Plaintiff demands relief pursuant to, *inter alia*, the United States Constitution and various laws of the United States.

6. Specifically, Plaintiff in the Petition asserts claims pursuant to the United States Constitution, 15 U.S.C. § 1601 *et seq.* (the "Truth in Lending Act" or "TILA"), and 15 U.S.C. § 1692 *et seq.* (the "Fair Debt Collections Practices Act" or "FDCPA"), making this entire action removable to this Court pursuant to 28 U.S.C. § 1441(a)-(c).

7. Moreover, under 28 U.S.C. § 1367(a), this Court has supplemental jurisdiction over any of Plaintiff's claims over which this Court does not have federal question jurisdiction.¹

8. Pursuant to 28 U.S.C. § 1446(a) and Local Rule 103.5(a), true and legible copies of all process, pleadings, papers, and orders which have been served upon BOA are being contemporaneously filed herewith as evidenced by **Exhibit A**.

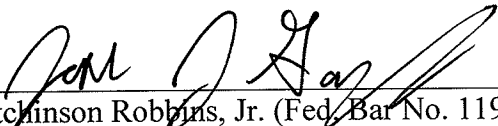
9. Based upon the allegations in the Complaint, the proper venue for removal of this action is the United States District Court for the District of Maryland.

¹ Plaintiff has also asserted unspecified claims based upon "fact," "statute," the Constitution of Maryland, Uniform Commercial Code §§ 3-601 to 3-605, and "all applicable law in all applicable jurisdictions."

10. This Notice of Removal does not waive objections to defects in service of process; jurisdiction, venue, or any other defense, all such defenses being specifically reserved by BOA.

WHEREFORE, Defendant, Bank of America, N.A., hereby removes this action from the Circuit Court for Prince George's County, to the United States District Court for the District of Maryland.

Respectfully submitted,



E. Hutchinson Robbins, Jr. (Fed. Bar No. 11927)
Joshua J. Gayfield (Fed. Bar No. 29189)
MILES & STOCKBRIDGE P.C.
10 Light Street
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Counsel for Defendant, Bank of America, N.A.

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CERTIFICATE OF SERVICE

I hereby certify that I have served a fully executed copy of the foregoing *Notice of Removal* this 20th day of July, 2010, by forwarding a copy of the same via United States mail, postage prepaid, to the following:

Denise Dennis
216 Whitehaven Circle
Fort Washington, Maryland 20744

Plaintiff



Joshua J. Gayfield